

LINCOLN CITY - LANCASTER COUNTY
PLANNING DEPARTMENT



MEMORANDUM

Date: August 27, 2002
To: Planning Commission
From: Jason Reynolds, Planning
Subject: Special Permit #1691C

This application contains lots which do not meet the average lot width and average lot area requirements. Waivers were not requested in time to include in the legal notification.

We are awaiting a decision from the City Attorney's office to determine whether this application must be held for proper notification. If the City Attorney determines that the waivers require notification, please defer action for two weeks. If notification is not required, please refer to the staff report for the recommendation.

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LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Special Permit #1691C
Shadow Pines 1st Addition C.U.P.

DATE: August 21, 2002

PROPOSAL: To amend the Shadow Pines 1st Addition Community Unit Plan by adding 16 dwelling units to an area previously shown for potential future development.

WAIVER REQUEST: Lot depth along an arterial street, from 120' to 100'
Although not specifically requested in time for legal notification, the drawings show an average lot width for two-family dwellings from 40' to 37' and
Lot area for two family dwellings from 5,000 square feet per family to 3,700 square feet per family.

LAND AREA: 67,301 square feet, more or less (1.55 acres) - Amended area
16.75 acres - Entire C.U.P.

CONCLUSION: With conditions this request is in conformance with the Comprehensive Plan and complies with the Zoning Ordinance.

The application could be approved without the adjustment of lot width.

<u>RECOMMENDATION:</u>	Conditional Approval or Deferral for legal notification
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 1, Block 1 Shadow Pines Addition, located in the SW 1/4 of Section 16, T9N, R7E of the 6th P.M., Lincoln, Lancaster County, Nebraska.

LOCATION: S. 56th Street & Shadow Pines Drive

APPLICANT: Brian D. Carstens & Associates
601 Old Cheney Road - Suite "C"
Lincoln, NE 68512
(402) 434-2424

OWNER: Canyon Homes, LLC
PO Box 6698
Lincoln, NE 68506

CONTACT: Brian D. Carstens & Associates

EXISTING ZONING: R-3 under a C.U.P.

EXISTING LAND USE: Single family use

SURROUNDING LAND USE AND ZONING:

North: R-3 Single family on large lot
South: R-3 Single family on large lot
East: R-3 Shadow pines C.U.P. two family housing
West: R-3 Single family housing across S. 56th Street

HISTORY:

May 1, 2000 City Council approved Special Permit No. 1691B, which approved a reduction in year yard setback for Lots 5-8, Block 2 and Outlot "C".

June 29, 1998 City Council approved the Shadow Pines 1st Addition Preliminary Plat No. 98010 and Community Unit Plan, Special Permit No. 1691A which amended engineering issues related to water pressure and sanitary sewer.

Nov. 17, 1997 City Council approved the Shadow Pines Preliminary Plat No. 97015 and Community Unit Plan, Special Permit No. 1691.

The **1979 Zoning Update** changed the zoning from A-A Rural and Public Use to R-3 Residential.

COMPREHENSIVE PLAN SPECIFICATIONS: The area is identified as Urban Residential in the 2025 Comprehensive Plan.

The 2025 Comprehensive Plan states:

Overall Guiding Principles for Residential

A safe residential dwelling should be available for each citizen: the efficiency apartment and the country estate, the small single family "starter" home and the large downtown apartment suite, the most affordable and the most expensive dwelling unit, completely independent living and living within the care of others. Provision of the broadest range of housing options throughout the community improves the quality of life in the whole community. (F 65)

Provide different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population. (F 66)

UTILITIES: Available

TOPOGRAPHY: Sloping down from SW to NE

TRAFFIC ANALYSIS: S. 56th Street is classified as an arterial

PUBLIC SERVICE: City of Lincoln Fire and Police. The Fire Department does note that emergency response time for this area of the city is currently more than 1.5 times the city-wide

average. The Fire Department has proposed a new fire station near S. 56th and Pine Lake Road. If built, the new station would reduce response time in the area.

ALTERNATIVE USES: The maximum density for this C.U.P. is 116 units. This parcel could have been developed with townhouses. The lot layout could have been arranged so that Lots 9 and 24, Block 4 faced the houses across Shadow Pines Drive.

ANALYSIS:

1. This application proposes to create 16 single family attached housing units on 16 lots.
2. The lot layout roughly matches the “possible future layout” shown on the Shadow Pines 1st Addition C.U.P. site plan.
3. These relatively small single family attached dwellings provide an alternative to the larger housing in the other parts of this neighborhood (including the acreages and single family housing across S. 56th Street). The waiver of lot depth is acceptable as a means to achieve this goal.
4. The lots west of Shadow Pines Place are shown as 37' wide with 3,700 square feet of lot area. R-3 zoning requires 40' wide lots for two-family dwellings and 5,000 square feet of lot area per family. A waiver of these requirements are acceptable because the dwellings will have the same required setbacks as those on the east side of Shadow Pines Place. The waivers were not requested by the applicant nor were they advertised, so this application may need to be held over for proper notification.
5. The private roadway is on a public access easement within the proposed lots. While this is not uncommon, it is not desirable. Private roadways should be on separate Outlots held by the homeowners' association so that there is a clearer boundary between the quasi-public roadway and private property.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

- 1.1 Revise the site plan to show:
 - 1.1.1 A “T” turnaround at the north end of Shadow Pines Place.
 - 1.1.2 Identify the purpose of each Outlot.
 - 1.1.3 Remove the solid building envelope lines and thicken the setback lines. If the buildings are there to show the required garage setback, a note may be added stating the minimum setback from sidewalk to garage.

- 1.1.4 Revise Note 20 to indicate that all lots are served by City sewer.\
 - 1.1.5 Revise the total usage in Note 13 so that it shows 92 total units, 2 single family units, 90 two-family units, and 3 outlots.
 - 1.1.6 Sign the Surveyor's Certificate.
 - 1.1.7 Remove the Planning Commission approval block.
 - 1.1.8 Label this as Special Permit 1691C, not A.
 - 1.1.9 Provide easements as requested by L.E.S.
 - 1.1.10 Replace Spring Snow Crabapple with Professor Sprenger or Donald Wyman Crabapple.
 - 1.1.11 Provide screening as required by section 7.4 of Design Standards for Screening and Landscaping.
 - 1.1.12 Revise the site plan so that all lots meet minimum lot width requirements.
 - 1.1.13 Show the grading, curb and gutter along S. 56th Street.
- 2. This approval permits 16 additional dwelling units in the Shadow Pines Community Unit Plan for a total of 92.
- 3. City Council modifies:
 - 3.1 The requirement that lots be 120 feet deep when abutting major streets to 100 feet.
 - 3.2 Average lot width for two family lots from 40 feet to 37 feet.
 - 3.3 Lot area for two family lots from 5,000 square feet per family to 3,700 square feet per family.
- 4. Prior to final plat approval, the developer must contribute half of the cost of improving S. 56th Street to a 2 + 1 design (\$29,400).

General:

- 5. Before receiving building permits:
 - 5.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies.
 - 5.2 The construction plans shall comply with the approved plans.
 - 5.3 Final Plats shall be approved by the City.

STANDARD CONDITIONS:

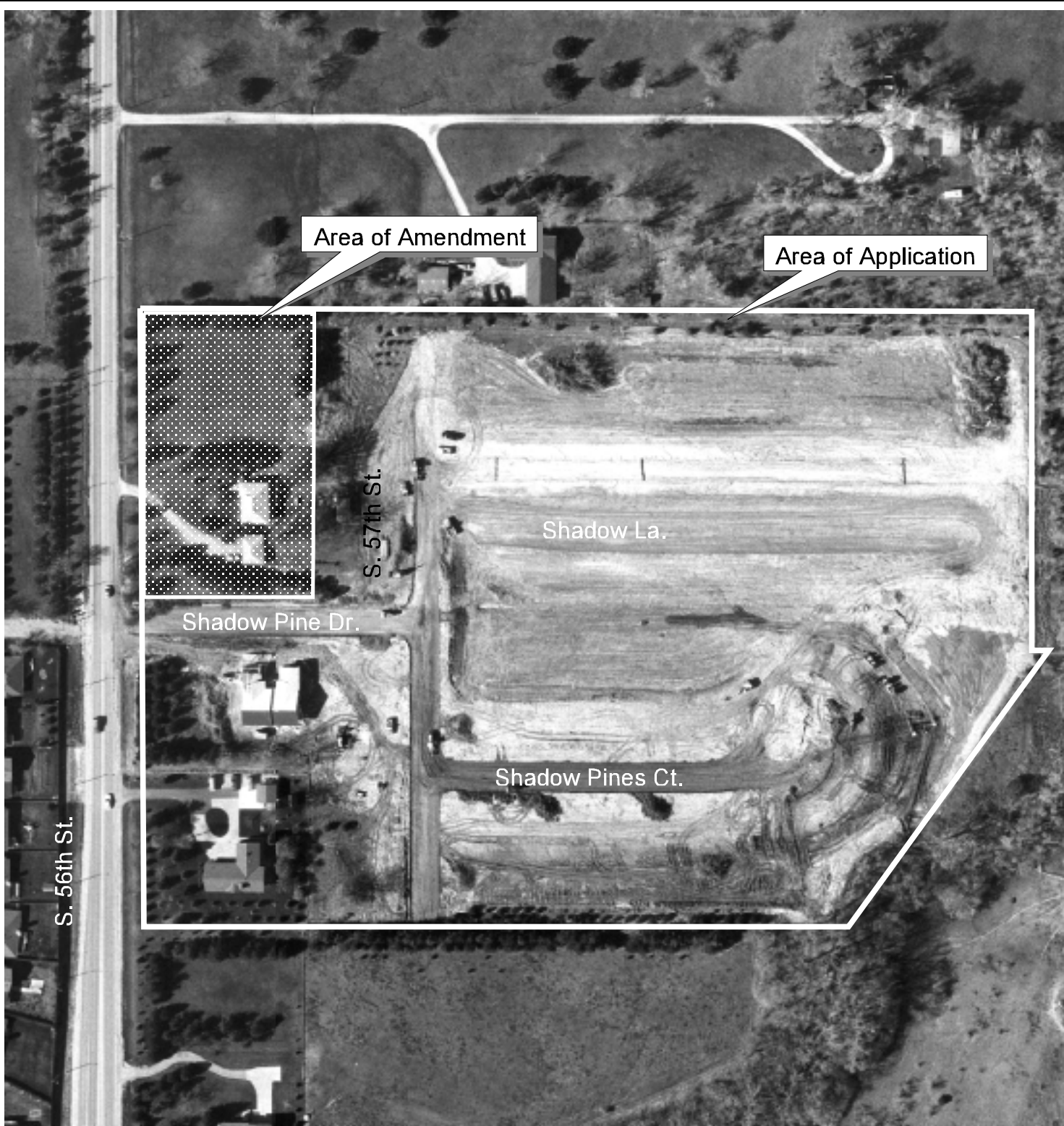
- 6. The following conditions are applicable to all requests:
 - 6.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.
 - 6.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 6.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

- 6.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 6.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
7. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

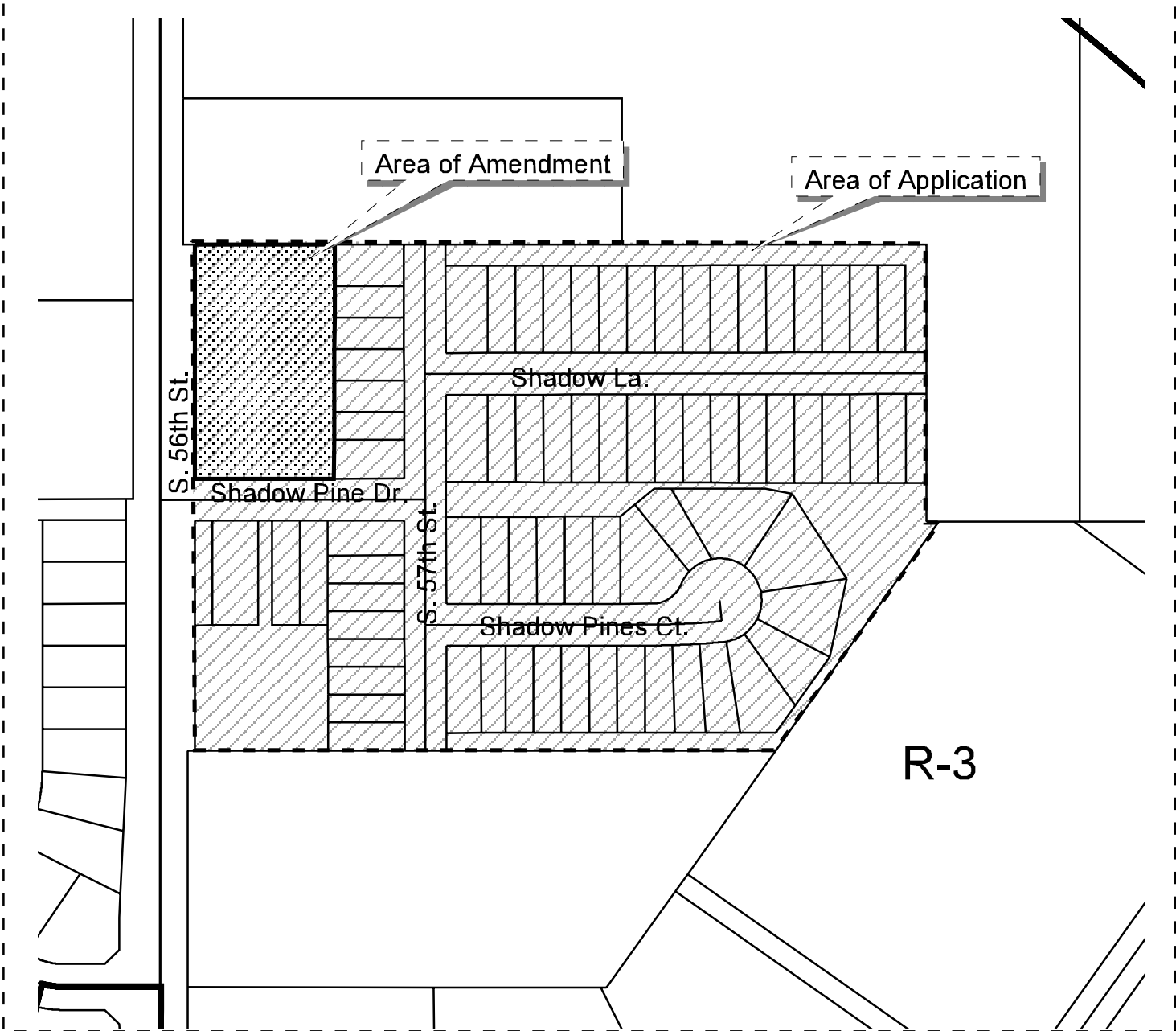
Prepared by:

Jason Reynolds
Planner

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91C.pcmemo.wpd



Special Permit #1691C
S. 56th & Pine Lake Rd.



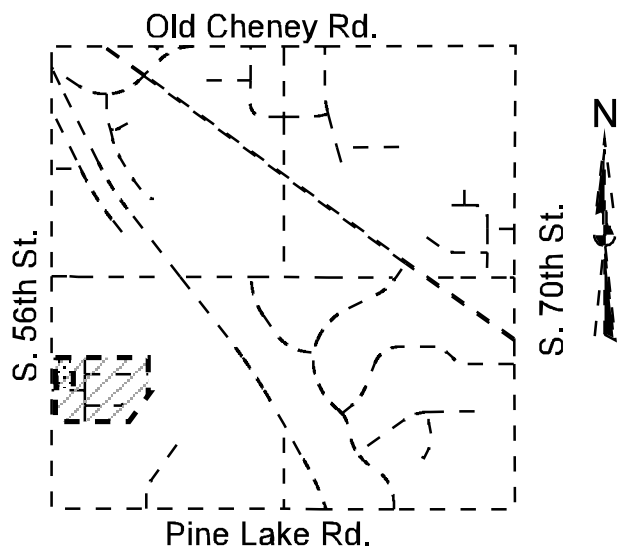
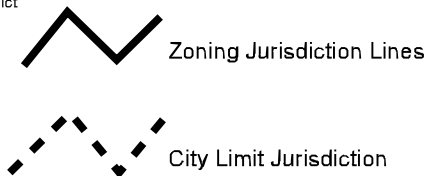
Special Permit #1691C S. 56th & Pine Lake Rd.

Zoning:

R-1 to R-8

AG	Residential District
AGR	Agricultural District
R-C	Agricultural Residential District
O-1	Residential Conservation District
O-2	Office District
O-3	Suburban Office District
R-T	Office Park District
B-1	Residential Transition District
B-2	Local Business District
B-3	Planned Neighborhood Business District
B-4	Commercial District
B-5	Lincoln Center Business District
H-1	Planned Regional Business District
H-2	Interstate Commercial District
H-3	Highway Business District
H-4	Highway Commercial District
I-1	General Commercial District
I-2	Industrial District
I-3	Industrial Park District
P	Employment Center District
	Public Use District

One Square Mile
Sec. 16 T9N R7E



AREA OF AMENDED C.U.P./ S.P. #1691A

S89°32'19"E
201.30'M. (201.22')

VICINITY MAP

BEEN PLACED OR FOUND AT ALL BOUNDARY CORNERS.

DATE

DENNIS D. SHORDES 11/16/04

S89°32'19"E 848.77'M. (848.85')

S00°22'10"W
395.94'M. (395.97')

S89°05'10"E
20.07'M. (20.08')

S36°03'22"W
405.41'M. (405.48')

833.55'M. (833.61')
LIMITS OF C.U.P./
S.P. #1691A

1318.30'M. 1319.8'P

1318.90'M. 1319.07'P

SOUTH 56TH STREET

SOUTH 57TH STREET

N00°21'46"E 335.99'M. (335.97')

389.81'M. (389.79').

N00°21'46"E

SHADOW PINES DRIVE

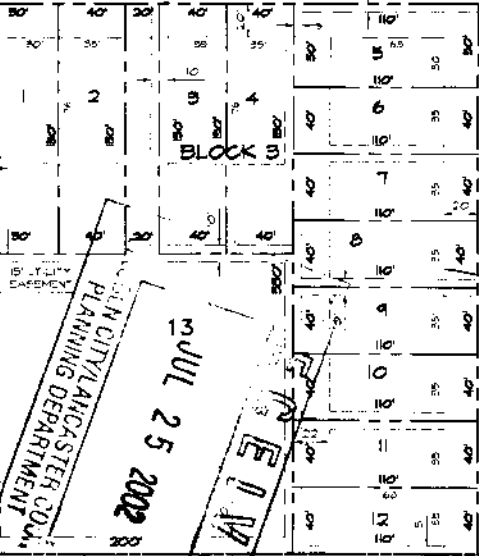
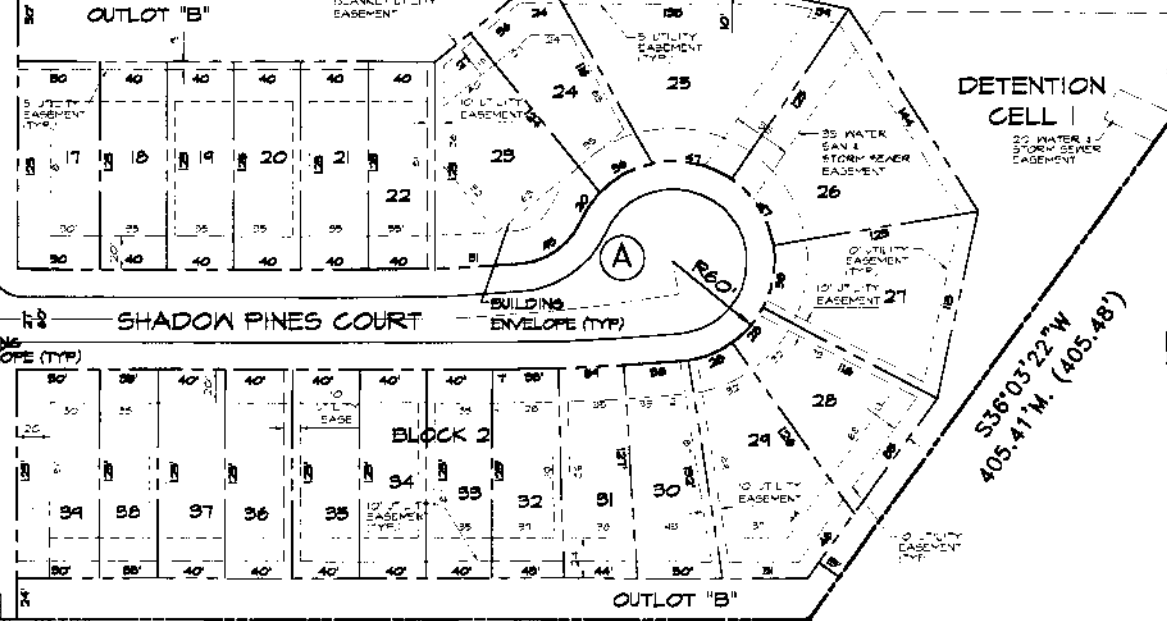
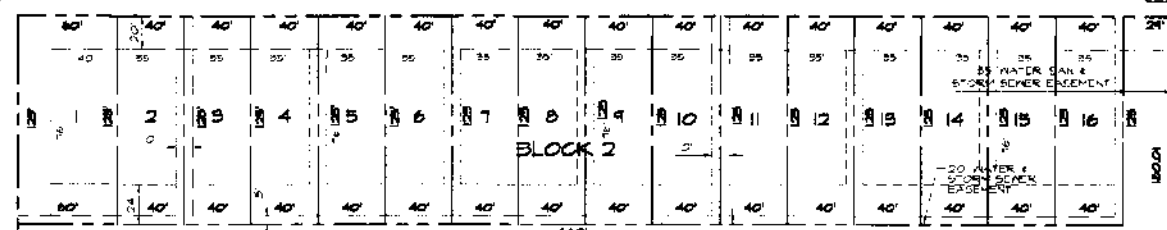
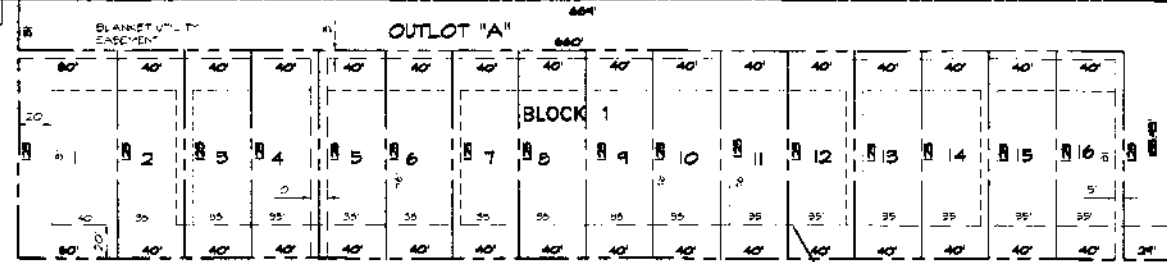
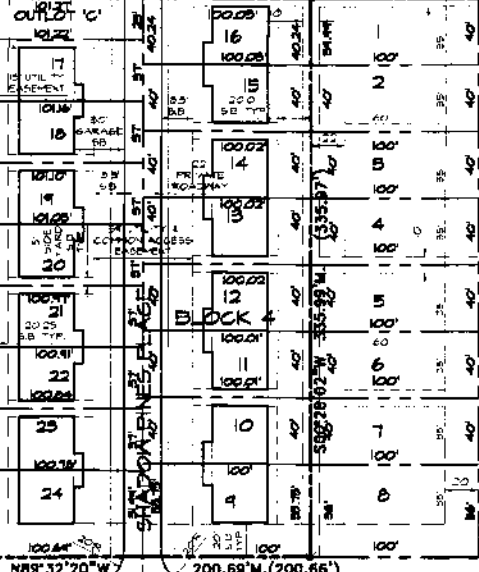
SHADOW PINES COURT

N89°32'30"W

SHADOW LANE

DETENTION
CELL

22



IN CITY/CASTER CO.
PLANNING DEPARTMENT
JUL 25 2002

Memo



To: Jason Reynolds, Planning Department

From: Mark Canney, Parks & Recreation

Date: August 19, 2002

Re: Shadow Pines 1st Addition SP1691A

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have the following comments:

1. Spring Snow Crabapple is susceptible to Fireblight. Please substitute with Professor Sprenger or Donald Wyman.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.



INTER-DEPARTMENT COMMUNICATION

DATE August 9, 2002

TO Jason Reynolds, City Planning

FROM Sharon Theobald
(Ext. 7640)

SUBJECT DEDICATED EASEMENTS
DN #63S-57E

Attached is the Site Plan for Shadow Pines 1st Addition (CUP/Special Permit No. 1691A.)

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map, along with a blanket utility easement over Outlot "C".

Sharon Theobald



John Huff

07/31/2002 10:34
AM

To: Jason W Reynolds/Notes@Notes
cc: John Huff/Notes@Notes, Michael Spadt/Notes@Notes
Subject: Shadow Pines 1st add.

Jason,

I have reviewed the proposed Shadow Pines SP 1691 A for the department and do not have any objections as it is proposed.

It is important to note however that continued development in this area of the city must be met with additional fire department resources. We have proposed the construction of a new fire station near south 56 and pine lake to reduce the response time for emergency services to this area, which is currently more than 1 1/2 times the city wide average.

If you have any questions, feel free to contact me.

John C. Huff
Deputy Chief Administrative Services
Lincoln Fire & Rescue
1801 Q Street
Lincoln Ne. 68528
Office 402-441-8351
Fax 402-441-8292



MICHAEL WOOLMAN
<lpd737@CJIS.CI.LIN
COLN.NE.US>

08/01/2002 10:33
AM

To: Jason Reynolds <JReynolds@ci.lincoln.ne.us>
cc:
Subject: Shadow Pines 1st Addition

Mr. Reynolds,

The Lincoln Police Department has no objections to the Shadow Pines 1st Addition and SP 1691A.

Michael S. Woolman
Planning Sergeant
Lincoln Police Department



Dennis L Roth

To: JReynolds@ci.lincoln.ne.us

cc:

07/29/2002 07:09 PM

Subject: re: Shadow Pines 1st addition

PROJ NAME: Shadow Pines, 1st Add

SPEC PERMIT 1691A

PROJ DATE: 07/26/02

PLANNER: Jason

Finding NO duplicate/similar names in our geobase for the street name proposed in this project, other than those which are an extension of an existing street.

Dennis "denny" Roth, ESD II/CAD Admin
Emergency Communications 9-1-1 Center

STREETS: Shadow La, Shadow Pines Ct, Shadow Pines Dr, S 56th St and S 57th St

JG-26-2002 09:56

CITY OF LINCOLN

402 441 6576

P.01/01

Charles W. "Buff" Baker 08/26/2002 09:46:42 AM



Charles W Baker

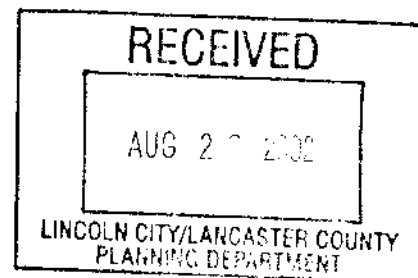
To: Jason W Reynolds/Notes

cc:

08/26/02 08:49 AM

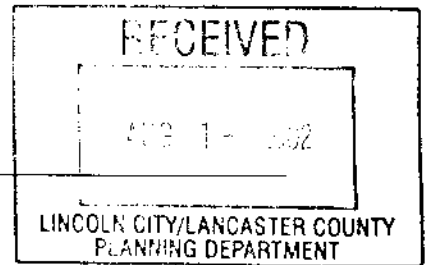
cc:

Subject: Shadow Pines CUP



I talked to Randy and he says The developer needs to contribute 1/2 of the 2 + 1 design of S 56th Street. That amount = \$29,400. The way we read the comp plan is the ROW requirement is only 100', so we will live with that. I hope this finishes up Shadow Pines. Anything else, let me know.
Thanks, Buff

M e m o r a n d u m



To: Jason Reynolds, Planning Dept.
From: BB
Bruce Briney, Public Works and Utilities
Subject: Special Permit #1619A, Shadow Pines 1st Addition
Amendment to Community Unit Plan
Date: August 1, 2002
cc: Roger Figard
Nicole Fleck-Tooze
Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the Application for Special Permit #1619A, Amendment to Community Unit Plan for Shadow Pines 1st Addition and has no objection to the waiver of lot depth as requested.

SUPERVISOR, CUSTOMER SERVICE SUPPORT



August 8, 2002

Jason Reynolds
City-County Planning Department
555 So 10 St
Lincoln NE 68508-3992

SUBJECT: Shadow Pines 1st Addition:

Jason,

I have reviewed the above-mentioned request.

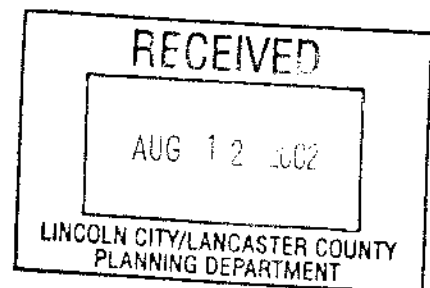
I find no concerns on behalf of the United States Postal Service and would agree with this proposal as submitted.

Please feel free to call me with any questions.

Thank you,

A handwritten signature in black ink, appearing to read "John Gilroy".

John Gilroy
Acting Supervisor, Customer Service Support



City of Lincoln, Nebraska

IMPORTANT

All revisions to plans must include Building Permit # and Job Address.

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.

Plan Review Comments

Permit # **DRF02066**

Address

Job Description: Development Review - Fire

Location: SHADOW PINES 1ST ADD

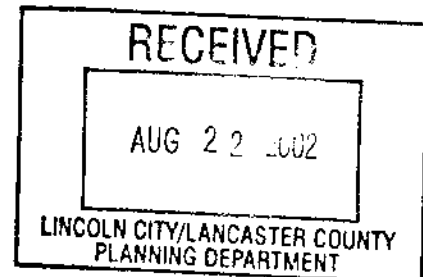
Special Permit: Y 1691A

Preliminary Plat:

Use Permit:

CUP/PUD:

Requested By



Status of Review: Approved

07/30/2002 10:16:09 AM

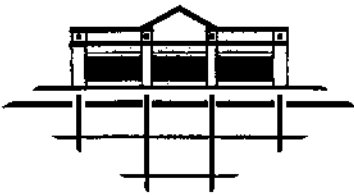
Reviewer: FIRE PREVENTION/LIFE SAFETY CODE

BOB FIEDLER

Comments: need site utility plan to check for fire hydrants

Current Codes in Use Relating to Construction Development in the City of Lincoln:

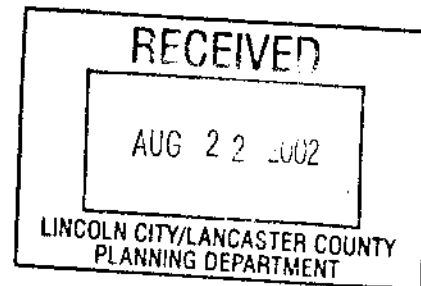
- 1997 Uniform Building Code and Local Amendments
- 1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989 Fair Housing Act As Amended Effective March 12, 1989
- 1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999 National Electrical Code and Local Amendments
- 1997 Uniform Mechanical Code and Local Amendments
- 1994 Lincoln Gas Code
- 1994 NFPA 101 Life Safety Code
- 1997 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards



BRIAN D. CARSTENS AND ASSOCIATES
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

August 22, 2002

Mr. Mike Dekalb
Interim Director of Planning
City of Lincoln
555 South 10th Street
Lincoln, NE 68508



RE: SHADOW PINES 1ST ADDITION - AMENDMENT TO COMMUNITY UNIT PLAN
SPECIAL PERMIT #1691A

Dear Mike,

On behalf of Canyon Homes, L.L.C., we are submitting an amendment to develop the 16 lots that were called out as future lots in the previous special permit. We are showing a conceptual building outline to clarify the site plan. The general notes have been revised to reflect the additional lots.

We are requesting a waiver of lot depth from 120 feet to 100 feet along the west side of Shadow Pines Place; adjacent to South 56th Street as previously approved with Special Permit #1691. We are also requesting a waiver of the lot width from 40 feet to 37 feet along the west side of Shadow Pines Place.

If you have any questions please give us a call.

Sincerely,

Brian D. Carstens

cc: Canyon Homes, L.L.C.

Enclosed: 16 copies of sheet 1 of 6
6 copies of sheets 2 through 6 of 6
City of Lincoln Zoning Application
Application fee of \$515.00